

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

KAREN A. SCOTT

Plaintiff,

v.

WHITFIELD FOODS, INC.

Defendant.

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CIVIL ACTION NO.:
2:06-CV-1157-WKW

REPORT OF PARTIES' PLANNING MEETING

Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on February 2, 2007 between (a) Karen Sampson Rodgers, Esq., Karen Sampson Rodgers, LLC, 459 South McDonough Street, Suite 5, Montgomery, Alabama 36104-4354 on behalf of Plaintiff Karen Scott and (b) Carter H. Dukes, Esq., Huckaby Scott & Dukes, P.C., 2100 Third Avenue North, Suite 700, Birmingham, Alabama, 35203, on behalf of Defendant Whitfield Foods Inc.

1. **Pre-Discovery Disclosures.** The parties will exchange by March 2, 2007 the information required by Rule 26.1(a)(1).

2. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan, but do not necessarily agree with the scope of discovery proposed by the opposing party. The parties reserve the right to object to discovery when made.

a. Discovery will be needed by Plaintiff on the following subjects: all substantive claims and defenses.

b. Discovery will be needed by Defendant on the following subjects: all substantive claims and defenses.

c. All discovery should be commenced in time to be completed by September

17, 2007.

d. Electronic Discovery. A party responding to discovery shall produce electronically stored information that is relevant, non-privileged and reasonably accessible subject to the limitations of Federal Rule of Civil Procedure 26(b)(2)(C). All electronically stored information shall be produced in written form unless otherwise agreed by the parties.

e. Maximum of 40 interrogatories and 40 requests for production and responses thereto due 30 days after service unless extended by agreement of the party propounding the interrogatories or requests for production.

f. Maximum of 15 requests for admission by each party to any other party, and responses thereto due 30 days after service unless extended by agreement of the party propounding the requests.

g. Maximum of 8 depositions by Plaintiff and a maximum of 8 depositions by Defendant.

h. Each deposition shall be limited to a maximum of 8 hours unless extended by agreement of the parties.

i. Reports from retained experts under Rule 26(a)(2) due:

i. From Plaintiff by June 18, 2007.

ii. From Defendant by July 23, 2007.

j. Supplementation under Rule 26(e) is due at least 30 days before the end of the discovery period.

3. Other Items.

a. The parties do not request a conference with the Court before entry of the scheduling order.

- b. The parties request a pretrial conference in December 2007.
- c. Plaintiff should be allowed until May 14, 2007, to join additional parties and to amend the pleadings.
- d. Defendant should be allowed until June 11, 2007 to join additional parties and to amend the pleadings.
- e. All potentially dispositive motions should be filed by October 15, 2007.
- f. Settlement cannot be realistically evaluated prior to October 1, 2007.
- g. Final list of trial evidence (both witnesses and exhibits) under Rule 26(a)(3) should be due from the Plaintiff and the Defendant 30 days prior to trial date.
- h. The parties shall have 14 days after service of final lists of trial evidence to list objections under Rule 26(a)(3).
- i. The case should be ready for trial on January 14, 2008 and at this time is expected to take approximately 2 to 3 days to try.

DATED: January 31, 2007

Respectfully submitted,

/s/ Karen Sampson Rodgers

Karen Sampson Rodgers
Attorney for Plaintiff
Karen Scott

OF COUNSEL:
KAREN SAMPSON RODGERS, LLC
459 South McDonough Street
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/s/ Carter H. Dukes

Carter H. Dukes
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Whitfield Foods, Inc.

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